

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HEALTH COALITION, INC.,)
)
Plaintiff,)
)
v.)
)
NEW ENGLAND ALLERGY ASTHMA)
IMMUNOLOGY & PRIMARY CARE,)
P.C. and THOMAS F. JOHNSON,)
Individually)
)
Defendants.)
_____)

No. 05-CV-11816 NMG

**ACCEPTANCE OF SERVICE OF PROCESS
ON BEHALF OF DEFENDANT THOMAS F. JOHNSON
BY APPOINTED AGENT**

I, Arthur J. McCabe, Esq., hereby declare:

1. I am an attorney duly licensed to practice in the Commonwealth of Massachusetts and in the federal district courts of this judicial district.

2. I have been hired to represent the interests of Defendant Thomas F. Johnson, individually and Defendant New England Allergy Asthma Immunology & Primary Care, P.C. ("Defendant"). I have been appointed as Defendant Johnson's agent authorized to receive service of process.

3. On September ¹⁵~~9~~, 2005, I voluntarily accepted from Brian M. Forbes, Esq., plaintiff's attorney, service of the summons and complaint in this matter by accepting personal delivery of a true copy of the summons and complaint for Defendant Thomas F. Johnson, individually.


4. Defendant Thomas F. Johnson has been duly informed by me of my acceptance service of process and Defendant Johnson has acknowledged and approved of my actions in doing so.

5. Defendant Johnson hereby acknowledges that process shall be deemed to have been sufficiently and properly served upon him on September ¹⁵~~8~~, 2005 in accordance with applicable law, and that plaintiff is not required to take any further action with respect to the service of the summons and complaint.

I declare under penalty of perjury that each of the facts set out in this declaration is true and correct as of my own personal knowledge, and that if called as a witness to testify in this matter, I could and would competently testify to each of the facts set out in the declaration.

Executed on this 15 day September 2005 at Andover, MA.

Agent Authorized By Appointment,



Arthur J. McCabe, Esq.
Arthur J. McCabe & Associates, P.C.
One Elm Square
Andover, MA 01810
Attorney for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Brian M. Forbes, Esq., Kirkpatrick & Lockhart Nicholson Graham LLP, 75 State Street, Boston, MA 02109, this 15 day of September, 2005.